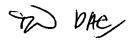
## UNITED STATES PATENT & TRADEMARK OFFICE Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND						
1 Date of Request: 01/04/07 2 Serial/Patent # 09/263,358						
3 Please refund the following fee(s):		4 PA NU	PER MBER	5 DATE FILED	6 AMOUNT	
	Filing				\$	
	Amendment				\$	
	Extension of Time				\$	
	Notice of Appeal/Appeal				\$	
Х	Petition			09/18/06	\$ 400.00	
	Issue				\$	
	Cert of Correction/Terminal Disc.				\$	
	Maintenance				\$	
	Assignment				\$	
	Other				\$	
			7 TOTAL AMOUNT OF REFUND		\$ 400.00	
		8 T	8 TO BE REFUNDED BY:			
10 REASON:		Х	r	Treasury Check		
	Overpayment		C	redit Dep	osit A/C #:	
	Duplicate Payment		9			
х	No Fee Due (Explanation):					
Petition treated under 37 CFR 1.181						
11 REFUND REQUESTED BY:						
TYPED/PRINTED NAME: Kenya McLaughlin TITLE: Petitions Attorney						
SIGNATURE:PHONE: 2-3222						
OFFICE: Petitions						
THIS SPACE RESERVED FOR FINANCE USE ONLY:						
APPROVED: DATE:						

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance Refund Branch Crystal Park One, Room 802B



647192 1.DOC MBS/JPC September 14, 2006



PATENT APPLICATION Attorney's Docket No.: 2479.1027-000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Dennis D. Ferguson and James A. Proctor, Jr.

Application No.:

09/263,358

Group:

2681

Filed:

March 5, 1999

Examiner: Sheila B. Smith

Confirmation No.:

1714

For:

FORWARD ERROR CORRECTION ON MULTIPLEXED CDMA CHANNELS

**ENABLING HIGH PERFORMANCE CODING** 

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

Typed or printed name of person signing certificate

## PETITION FOR EXPEDITED EXAMINATION OF PATENT APPLICATION UNDER 37 C.F.R. § 1.182, STATUS INQUIRY, AND REQUEST FOR CONSIDERATION OF PREVIOUSLY SUBMITTED AMENDMENT OF OCTOBER 22, 2003

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

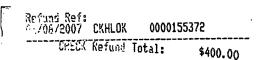
Sir:

This Petition is being filed in the above-identified application with a petition fee set forth in § 1.17(f). Further examination is requested. This Petition, Status Inquiry and Request is responsive to a telephone conference by and between the Applicants and the Supervisory Examiner Dwayne Bost on August 30, 2006. On or about August 25, 2006 through August 29, 2006, Applicants' attorney made two phone calls to Examiner Sheila Smith and one phone call to

09/19/2006 HLE333 00000119 09263358

01 FC:1462

400,00 BP



Applicants' Attorney believes that the Office's delay in responding to the Reply filed on October 22, 2003 is a result of an internal error at the Office, and not on the part of the Applicants. Applicants' Attorney respectfully submits that a Petition fee of \$400.00 under § 1.17(f) is due in this matter. However, if the Applicants' Attorney is in error, please charge Deposit Account No. 08-0380 for any fees that may be due in this matter. One additional copy of this petition is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

Mark B. Solomon

Registration No. 44,348 Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 9/14/06